

* JAMES S.K. SHULMAN, ESQ. #118938
* 1501 The Alameda
* San Jose CA 95126
Telephone: 408-297-3333
Facsimile: 408-993-1869

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re:

Chapter 13

Case No. 09-52648-ASW

PHILIP J. THIBAUT

APPLICATION FOR ORDER WAIVING
REQUIREMENT FOR BUSINESS EVALUATION;
AND DECLARATION OF DEBTOR(S)

PAULA M. THIBAUT

BUSINESS NAME: PHILIP J. THIBAUT

Debtor(s) _____

Debtor(s) herein requests an order waiving the requirement pursuant to 11 U.S.C. 1302(c) for an evaluation of the debtor(s)' business for the following reason(s) [check all applicable]:

_____ The proposed chapter 13 plan provides for 100% repayment on unsecured claims.

_____ The debtor(s)' business is of a *de minimis* nature. The income derived from the business is nominal and does not comprise the majority of the debtor(s)' net income.

xx The debtor is an independent contractor.

xx The debtor either operates the business out of his/her home or does not lease commercial real property for the business.

xx The debtor is not incurring post-petition trade debt and is current on post-petition taxes.

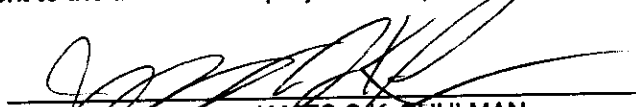
_____ The debtor is current on post-petition trade debt payments and post-petition taxes.

xx The debtor either has no employees or employs only members of his/her immediate family.

_____ Other:

In addition, the proposed plan provides for payment to the trustee of all projected disposable income of the debtor(s).

Dated: 4/9/09


Debtor(s) Attorney, JAMES S.K. SHULMAN

DECLARATION OF DEBTOR(S)

I/We, the undersigned debtor(s) herein, declare under penalty of perjury that the foregoing description of the nature of my/our business is true and correct to the best of my/our knowledge.

Dated: 4-9-09



Debtor, PHILIP J. THIBAUT

Dated: 4-9-09


Debtor, PAULA M. THIBAUT

The Chapter 13 Trustee has reviewed the attached APPLICATION FOR ORDER WAIVING REQUIREMENT FOR BUSINESS EVALUATION; AND DECLARATION OF DEBTOR(S) and has no objection thereto.

Dated: 4-28-09


DEVIN DERHAM-BURK, TRUSTEE